

REMARKS

Applicant appreciates the Examiner's acknowledgement that claims 4-11, 16, 18-24 would be allowable if rewritten in independent. Applicant has amended the claims accordingly in order to expedite the allowance of the claims. For instance, claim 1 is amended to include the limitation of claim 5, which the Examiner indicated would be allowable if rewritten in independent form. Claims 5, 13-14, 16, and 25-26 are cancelled herein and claims 27-32 are added. Thus, claims 1-4, 6-12, 15, 17-24, and 27-32 are currently pending and presently being examined. The amendments to the claims and new claims are fully supported by the original claims and specification. The new claims are based on one or more dependent claims, which the Examiner indicated would be allowable if rewritten in independent form to include all the limitations of the based claim and any intervening claims. For example, new claim 27 is based on original claim 6, which was dependent on independent claim 1; claim 28 is based on claims 1 and 7; claim 29 is based on claims 1 and 10; claim 30 is based on claims 1, 15, and 19; claim 31 is based on claims 1, 15, and 21; and claim 32 is based on claims 1, 15, and 24. No new matter has been added. Entry of the amendments at this time is therefore respectfully requested. Applicant reserves the right to pursue any of the cancelled claims in one or more continuation applications.

Claims 1, 2, 3, 12, 15, and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lutts et al. (Euphytica 78: 19-25, 1994) in view of Ogburia et al. (Euphytica 88: 9-16, 1996) and further in view of Bashaw et al. (Apomictic grasses, *In Principles of cultivar development*, Volume 2, pages 41-83, 1987) for the reasons set forth in pages 3-5 of the Office Action.

Applicant has amended independent claim 1, to include the limitations of claim 5, which the Examiner has indicated is allowable over the prior art. Thus, this rejection is now moot. Applicant therefore respectfully requests that this rejection be withdrawn.

Claim 1, 2, 3, 12, 15, and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bashaw (Apomixis in crop improvement. *In Hybridization of crop plants*. 1980. pages 45-63), in view of Dujardin et al. (Euphytica 38: 229-235, 1988) for the reasons set forth in pages 5-6 of the Office Action.

Applicant has amended independent claim 1, to include the limitations of claim 5, which the Examiner has indicated is allowable over the prior art. Thus, this rejection is now moot. Applicant therefore respectfully requests that this rejection be withdrawn.

In view of the above amendments and arguments, Applicant now believes all claims to be in condition for allowance. If there are any questions, the Examiner is invited to call Applicant's representative Rodney Fuller at (602) 916-5404 to resolve any remaining issues to expedite the allowance of this application.

Respectfully submitted,

October 9, 2007
Date

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